



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

AMIN & TUROCY, LLP  
1900 EAST 9TH STREET, NATIONAL CITY CENTER  
24TH FLOOR,  
CLEVELAND OH 44114

**MAILED**  
**JUL 12 2005**  
*Technology Center 2100*

In re Application of: Zink, et al.  
Application No. 10/092,323  
Filed: 6 March 2002  
For: SYSTEM AND METHODOLOGY  
PROVIDING OPTIMIZED DATA EXCHANGE  
WITH INDUSTRIAL CONTROLLER

DECISION ON PETITION  
TO MAKE SPECIAL  
(ACCELERATED EXAMINATION)  
UNDER M.P.E.P. § 708.02 (VIII)

This is a decision on the Request for Reconsideration filed 15 June 2005 on the petition to make special under 37 C.F.R. § 102(d) and M.P.E.P. § 708.02(VIII): Accelerated Examination, originally filed on 18 February 2005.

The Petition is **GRANTED**.

M.P.E.P. § 708.02, Section VIII which sets out the prerequisites for a grantable petition for Accelerated Examination under 37 C.F.R. § 102(d) states in relevant part:

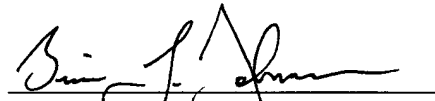
A new application (one which has not received any examination by the examiner) may be granted special status provided that applicant (and this term includes applicant's attorney or agent) complies with each of the following items:

- (a) Submits a petition to make special accompanied by the fee set forth in 37 CFR 1.17(h);
- (b) Presents all claims directed to a single invention, or if the Office determines that all the claims presented are not obviously directed to a single invention, will make an election without traverse as a prerequisite to the grant of special status;
- (c) Submits a statement(s) that a pre-examination search was made, listing the field of search by class and subclass, publication, Chemical Abstracts, foreign patents, etc. The pre-examination search must be directed to the invention as claimed in the application for which special status is requested. A search made by a foreign patent office satisfies this requirement;

- (d) Submits one copy each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record; and
- (e) Submits a detailed discussion of the references, which discussion points out, with the particularity required by 37 CFR 1.111 (b) and (c), how the claimed subject matter is patentable over the references.

Petition to Make Special **GRANTED** since all of the requirements for special status under MPEP § 708.02(VIII) have been met.

The application is being forwarded to the Examiner for accelerated examination in accordance with M.P.E.P. §708.02, Section VIII. If the application is subsequently allowed, it will be given priority for printing. See M.P.E.P. §1309.



Brian L. Johnson  
Special Program Examiner 7/6/05  
Technology Center 2100  
Computer Architecture, Software and Information Security  
571-272-3595

GO